

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HERMÈS INTERNATIONAL and HERMÈS OF
PARIS, INC.,

Plaintiffs,

-against-

MASON ROTHSCHILD,

Defendant.

CIVIL ACTION NO.

22-CV-00384 (JSR)

DECLARATION OF ASHLEY N. ROBINSON, ESQ.

I, Ashley N. Robinson, declare pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct to the best of my knowledge, information, and belief:

1. I am a member in good standing of the bar of this Court, and an associate at Harris, St. Laurent & Wechsler, LLP (“HSW”), attorneys for Defendant Mason Rothschild in the above-captioned matter, and I submit this Declaration in further support of Defendant’s Renewed Motion for Judgment as a Matter of Law or New Trial.

2. Attached hereto as Exhibit A are true and correct copies of excerpts of the transcript of trial proceedings on February 3, 2023 (Dkt. No. 157).

3. Attached hereto as Exhibit B are true and correct copies of excerpts of the transcript of trial proceedings on February 6, 2023 (Dkt. No. 159).

4. Attached hereto as Exhibit C are true and correct copies of excerpts of the transcript of trial proceedings on February 2, 2023 (Dkt. No. 155).

5. Attached hereto as Exhibit D are true and correct copies of excerpts of the transcript of trial proceedings on January 31, 2023 (Dkt. No. 149).

6. Attached hereto as Exhibit E are true and correct copies of excerpts of the transcript of trial proceedings on February 1, 2023 (Dkt. No. 153).

7. Attached hereto as Exhibit F is a true and correct copy of a LinkedIn post by trademark lawyer David Bernstein, retrieved on February 15, 2023 from https://www.linkedin.com/posts/david-h-bernstein-debevoise_metabirkins-verdict-serves-as-warning-for-activity-7029416391321481216-f9n_/?originalSubdomain=pr.

8. Attached hereto as Exhibit G is a true and correct copy of the *New York Times* article, “Hermès Wins *MetaBirkins* Lawsuit; Jurors Not Convinced NFTs Are Art”, retrieved on April 4, 2023 from <https://www.nytimes.com/2023/02/08/arts/hermes-metabirkins-lawsuit-verdict.html>.

9. Attached hereto as Exhibit H are true and correct copies of excerpts of the transcript of oral argument on November 18, 2022 (Dkt. No. 105).

10. Attached hereto as Exhibit I is a true and correct copy of a LinkedIn post with comments made by jury foreperson Jane Kramer, retrieved on February 15, 2023 from https://www.linkedin.com/posts/melissa-a-henderson-_its-no-secret-that-im-a-huge-fan-of-digital-activity-7029244144543748096-JmMo?utm_source=share&utm_medium=member_desktop.

11. Attached hereto as Exhibit J is a true and correct copy of a LinkedIn post with comments made by jury foreperson Jane Kramer, retrieved on February 15, 2023 from https://www.linkedin.com/posts/ari-redbord_excellent-in-depth-reporting-by-zachary-activity-7029147594526212096-SpSr/.

Executed this 4th day of April, 2023

/s Ashley N. Robinson

Ashley N. Robinson